THE HONORABLE JOHN C. COUGHENOUR

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

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KERRY L. RUSSELL,

CASE NO. C14-739-JCC-BAT

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Plaintiff,

ORDER ADOPTING MAGISTRATE
JUDGE'S REPORT AND
RECOMMENDATION

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v.

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CAROLYN W. COLVIN, Acting
Commissioner of Social Security,

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Defendant.

16   This matter comes before the Court on the parties' stipulated motion to reverse and

17 remand the case for further administrative proceedings (Dkt. No. 16) and the report and

18 recommendation ("R&R") of the Honorable Brian A. Tsuchida, United States Magistrate Judge

19 (Dkt. No. 17). The Court hereby ADOPTS the R&R:

20   Based on the stipulation of the parties, it is ORDERED that the Commissioner's decision

21 regarding Plaintiff's application for benefits under Title XVI of the Social Security Act be

22 REVERSED and REMANDED to the Commissioner of Social Security for further

23 administrative proceedings before an Administrative Law Judge ("ALJ"), a de novo hearing, and

24 a new decision.

25   On remand, the ALJ will reassess the residual functional capacity assessment and obtain

26 supplemental evidence from a vocational expert to clarify the effects of the assessed limitations

ORDER ADOPTING MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION
PAGE - 1

1   (specifically, the limitation to "limited or no contact with the public") on the occupational base.

2   This Court is not ruling on the parts of the ALJ's decision not specifically addressed in this

3   Order.

4   The Court hereby reverses the Commissioner's decision under sentence four of 42 U.S.C.

5   § 405(g) and remands the case to the Commissioner for further proceedings. *See Melkonyan v.*

6   *Sullivan*, 501 U.S. 89 (1991). Plaintiff will be entitled to reasonable attorney fees and costs

7   pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d) upon proper request to this

8   Court.

9   DATED this 4th day of November 2014.

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15   John C. Coughenour

16   UNITED STATES DISTRICT JUDGE

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